

IN THE HEALTHCARE ALTERNATIVE DISPUTE
RESOLUTION OFFICE OF MARYLAND

TAMMIE FRALEY, *et al.*,

Claimants,

**TO THE USE OF CHARLES
FRANKLIN HAYNES and
CHRISTOPHER WILLIAM LARUE**

Use-Claimants

v.

**MERITUS MEDICAL CENTER, INC.,
*et al.***

Healthcare Providers.

LINE

Dear Clerk:

Please find enclosed two copies of each Certificate of Qualified Expert, Attesting Expert Report, and *curriculum vitae* of Thomasina Papa-Rugino, M.D. Kindly date stamp and file all three original documents and date stamp and return the copies.

Respectfully submitted,

PAULSON & NACE, PLLC



Matthew A. Nace, Esq.
1025 Thomas Jefferson St., NW
Suite 810
Washington, DC 20007
202-463-1999 – Telephone
202-223-6824 – Facsimile
man@paulsonandnace.com
Counsel for Claimants



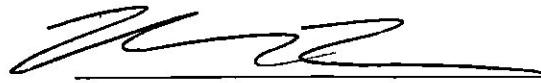
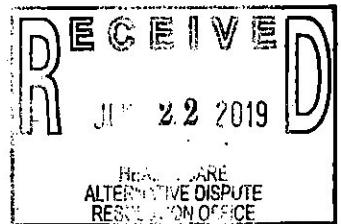
CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of July, 2019, I caused a true and exact copy of the foregoing to be served via U.S. Mail upon:

Eric Rhoades, Esquire
Armstrong, Donohue, Ceppos & Vaughn, Chtd.
204 Monroe Street, Suite 101
Rockville, MD 20850

Natalie C. Magdeburger, Esquire
Brian M. Cathell, Esquire
Pessin Katz Law, P.A.
901 Dulaney Valley Road
Suite 500
Towson, MD 21204

Frederick W. Goundry, III, Esq.
Varner & Goundry
121 East Patrick Street
Frederick, MD 21701



Matthew A. Nace

IN THE HEALTH CARE ALTERNATIVE DISPUTE
RESOLUTION OFFICE

TAMMIE FRALEY, Individually,
and as
Personal Representative of the
ESTATE OF
JESSICA HAYNES, *et al.*,

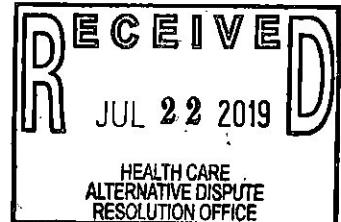
Case No. 2018-370

Claimants,

v.

MERITUS MEDICAL CENTER,
INC., *et al.*,

Health Care
Providers.



CERTIFICATE OF QUALIFIED EXPERT

I, Tommasina Papa-Rugino, M.D., do hereby certify and affirm that:

1. I am Board Certified in Neurology by the American Board of Neurology with a subspecialty Board Certification in Headache Medicine and have had clinical experience in the field of neurology within the past five years of the date of the events which form the basis of this litigation. My Attesting Report and *curriculum vitae* are attached hereto.
2. I have reviewed medical records pertaining to Jessica Haynes regarding health care services rendered by Berkeley Medical Center, Meritus Medical Center, War Memorial Hospital, Ruby Memorial Hospital, and Select Specialty Nursing Home. I have also reviewed the Certificate of Qualified Expert and Attesting Report of Jerome Barakos, M.D. and the Radiology studies conducted at Meritus Medical Center.
3. Based upon my education, training, and experience in neurology as well as the medical records and information provided in this case, it is my opinion, within a reasonable degree of medical probability that the neurologists involved in the care of Ms. Haynes at Meritus Medical Center who are identified in my attached report violated the standard of care.
4. I do not spend more than 20% of my professional time on medical legal matters, nor is my compensation from such matters more than 20% of income.

DATE: 10 May 2019

A handwritten signature in black ink, appearing to read "Tommasina Papa-Rugino, M.D." It is a cursive script with a large, stylized "T" at the beginning.

**IN THE HEALTH CARE ALTERNATIVE DISPUTE
RESOLUTION OFFICE**

TAMMIE FRALEY, Individually,
and as
Personal Representative of the
ESTATE OF
JESSICA HAYNES, *et al.*,

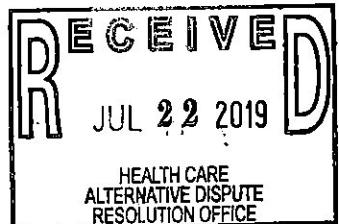
Claimants,

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Health Care
Providers.

Case No. 2018-370



ATTESTING EXPERT REPORT

My name is Tommasina Papa-Rugino, M.D. and I am a board certified in neurology with a subspecialty board certification in headache medicine. It is my opinion to within a reasonable degree of medical certainty that the Healthcare Providers rendering care to Jessica Haynes at Meritus Medical Center as the consulting neurologists, specifically Dr. Anwar, violated the standard of care by failing to include on their differential diagnosis a brain abscess and to appropriately rule in or out the various conditions on their differential diagnosis. It is also my opinion that those same healthcare providers violated the standard of care in failing to obtain an MRI study subsequent to July 6 and prior to discharge. It is further my opinion that the same healthcare providers violated the standard of care in failing to consult with a neurosurgeon for treatment. According to the medical records, the healthcare providers whose care falls under the category of the "consulting neurologists," whom I am critical, include the following: Samina Anwar, M.D. and others whose names may not yet be discernible from the records.

Within a reasonable degree of medical certainty, as a female in her thirties who presented with an abnormal headache, leukocytosis, an abnormal lumbar puncture, and a localized brain lesion, the standard of care required a brain abscess to be part of the differential diagnosis and to be worked up and ruled in/out. While it was reasonable to initially place a stroke on the differential diagnosis, had this been a stroke, within a reasonable degree of medical certainty, this lesion would have gotten smaller over time. Furthermore, a review of the radiology films themselves demonstrate that the presentation of this anomaly was not consistent with a stroke due to the location, expanse, and size, as well as when correlated with the clinical presentation. Given the fact that the lesion grew throughout the admission as documented in the medical records as well as the opinion rendered by Dr. Barakos that a subsequent MRI between June 6 and her discharge would have more likely than not shown continued growth of the lesion, the standard of care

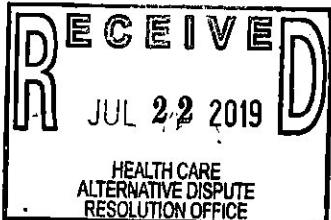
required that a stroke be eliminated from the differential diagnosis and that the hospitalists and internists placed a stronger emphasis on a diagnosis of an abscess that required, at a minimum, repeat MRI studies to confirm the presence of an abscess and a consultation with neurosurgery to explore the available surgical treatment options with the patient.

This is a preliminary report and if new information is brought to my attention, I may revise, expand, or otherwise amend my opinions prior to any trial.

DATE: 10 May 2019



Tommasina Papa-Rugino, M.D.



Tommasina Papa-Rugino, MD

Board Certified: American Board of Neurology (1991)
Subspecialty Board Certified: Headache Medicine (2007)

NeuroConsultants, LLC
Languages: English, Italian

Birthplace: Perth, Australia
Childhood: Naples, Italy
Citizen: USA

Barnard College
3009 Broadway
New York, New York 10027

Premedical Education: 9/77 to 6/81

Bachelor of Arts: Biology
Magna Cum Laude
GPA: 3.7 / 4.0

State University of New York
Downstate Medical Center
Health Sciences Center at Brooklyn
450 Clarkson Avenue
Brooklyn, New York 11203

Medical Education: 9/81 to 5/85

Honors:
Neurology Clerkship
Neurology Subinternship
Neuroradiology
NBME certified

Internal Medicine Internship: 7/85 to 6/86 and Neurology Residency: 7/86 to 6/89
University of Medicine and Dentistry of New Jersey
University Hospital / New Jersey Medical School
Department of Graduate Medical Education
185 South Orange Avenue, Newark, New Jersey 07103

Chair: Stuart Cook, MD
Professor and Chairman
Department of Neurology

Nazar Haidri, MD
2333 Morris Avenue, Suite C9
Union, New Jersey 07083

Post-Residency Experience: 7/89 to 7/92

Union Hospital
1000 Galloping Hill Road,
Union, New Jersey 07083

Maternity Leave: 8/92 to 8/94

Post-Residency Experience: 9/94 to 8/95

Donald Hoffman, MD
95 Marion Drive
Morgantown, WV 26505

Greene County Hospital
Preston Memorial Hospital
MountainView Rehab Hospital

Post-Residency Experience: 9/95 to 9/06

University Family Practice
University Physicians and Surgeons Clinical Assistant Professor:
1600 Medical Center Drive Marshall U School of Medicine
Huntington, WV 25701

Linda Savory, MD
University Women & Family
1305 Elm Street
Huntington, WV 25701

Training of medical students and residents for Marshall University School of Medicine 1995 - 2002
Pediatric Neurology Clinic at University Pediatrics, 1998-2002

Multidisciplinary Headache Clinic with HealthSouth Rehabilitation Hospital, 1998 - 2002
Multidisciplinary Multiple Sclerosis Clinic with HealthSouth Rehabilitation Hospital, 1998 - 2002

Post Residency Experience: 8/2002 to 3/2010

Monmouth-Ocean Neurology
1944 Corlies Avenue
Neptune, NJ 07753

Active Staff Privileges at:
Jersey Shore Medical Center
Medical Center of Ocean County

Monmouth-Ocean Neurology
190 Jack Martin Boulevard
Brick, NJ 08724

Tommasina Papa-Rugino, MD

Page 2

Post Residency Experience: 3/2010 to 11/2010

Jersey Neurocare Associates
14 Woodward Drive Suite A
Old Bridge, NJ 08857

Active Staff Privileges:
Raritan Bay Medical Center

Post Residency Experience: 11/2010 to Current

Southern Ocean Medical Center Neurology
53 Nautilus Drive
Manahawkin, NJ 08050

Chief, Division of Neurology
Director, Concussion Program
Director, Stroke Program

Procedural Experience

Certified, IMPACT Testing
Independent Medical Examinations

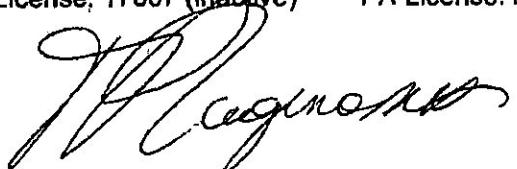
Botox Injections
Neuroradiology Interpretation

State Licenses

WV License: 17807 (inactive)

PA License: MD 053264 L (inactive)

NJ License: MA48484



9/25/2013